

IN RE: PETITION FOR ADMIN. VARIANCE

N/S of Deep Dale Drive, 200' W of
the centerline of Pine Valley Drive
8th Election District
3rd Councilmanic District
(304 Deep Dale Drive)

Robert R. & Mary Ellen Castle
Petitioners

*

BEFORE THE

*

DEPUTY ZONING COMMISSIONER

*

OF BALTIMORE COUNTY

*

CASE NO. 99-496-A

*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as an administrative variance filed by Robert R. and Mary Ellen Castle, property owners, for that property known as 304 Deep Dale Drive in the Timonium area of Baltimore County. The Petitioners herein seek a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (BCZR) to permit a rear yard setback of 20 ft. in lieu of the required 30 ft. to build an addition. The subject property and requested relief are more particularly described on Petitioner's Exhibit No. 1, the plat to accompany the Petition for Variance.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

RECEIVED FOR FILING

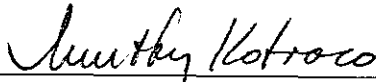
7/14/99

Deputy Zoning Commissioner

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 14th day of July, 1999 that a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (BCZR) to permit a rear yard setback of 20 ft. in lieu of the required 30 ft. to build an addition, be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.


TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

ORDER RECEIVED FOR FILING
Date 7/14/99
By [Signature]

TMK:raj



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

July 14, 1999

Mr. & Mrs. Robert R. Castle
304 Deep Dale Drive
Timonium, Maryland 21093

Re: Petition for Administrative Variance
Case No. 99-496-A
Property: 304 Deep Dale Drive

Dear Mr. & Ms. Castle:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Administrative Variance has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

A handwritten signature in cursive script that reads "Timothy M. Kotroco".

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

Come visit the County's Website at www.co.ba.md.us



Printed with Soybean Ink
on Recycled Paper



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 304 DEEP DALE DRIVE
which is presently zoned DR-3.5/DR-5.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1 BOZ. 3. C. 1

TO PERMIT A REAR YARD SETBACK OF 20' IN LIEU
OF THE REQUIRED 30'.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address Telephone No.

City State Zip Code

Legal Owner(s):

ROBERT ROYAL CASTLE
Name - Type or Print

Signature

MARY ELLEN CASTLE
Name - Type or Print

Mary Ellen Castle
Signature

304 DEEP DALE DR 410-252-7849
Address Telephone No.

TIMONIUM MD 21093
City State Zip Code

Representative to be Contacted:

ROBERT R. CASTLE
Name

(ABOVE) (V) 410-869-7131 day
Address Telephone No.

(H) 410-252-7849 night
City State Zip Code

A public hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this 6 day of June that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

CASE NO. 99-496-A

Reviewed By BR/CTM Date 6/8/99

REV 9/15/98

Estimated Posting Date 6/20/99

ORDER RECEIVED FOR FILING
Date 7/14/99
7/14/99

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at

304 DEEP DAVE DRIVE
Address
TIMONUM MD 21093
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty):

We would like to build an addition (approximately 11' by 21') on the rear of our house at the above address, which is currently 33' from the rear edge of our property line.

This addition would be similar in size to additions that have been built by other property owners in our neighborhood.

The triangular shape of our lot would mean that the rear edge of the addition would be approximately 20 feet from the edge of our property line.

We are requesting this variance in order to expand and improve the living space of our residence in keeping with similar residences in our neighborhood. Restricting this addition due solely to the proximity to the rear property line of our lot would pose an undue hardship upon our right to complete the above referenced improvements.

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Robert R. Castle
Signature

ROBERT R. CASTLE
Name - Type or Print

Mary Ellen Castle
Signature

Mary Ellen Castle
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 7 day of June, 1999, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

(Maryland, Baltimore County) Robert R. Castle & Mary Ellen Castle

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal

June 7, 1999
Date

Christine R. Ballinger
Notary Public

My Commission Expires October 1, 2002

REU 09/15/98

252-1380

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(#3)

(3 Copies)

ZONING DESCRIPTION FOR: 304 DEEP DALE DRIVE

Beginning at a point on the north side of Deep Dale Drive which is 120 feet wide at the distance of 200 feet west of the centerline of the nearest improved intersecting street of Pine Valley Drive which is 60 feet wide. Being Lot #19, Block C, (Section #) in the subdivision of Pine Valley as recorded in Baltimore County Plat Book #24, Folio #90 containing 8900 sq ft. Also known as 304 Deep Dale Drive and located in the 8th Election District, 3rd Councilmanic District.

99-496-A

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BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 069878

DATE 6/8/99 ACCOUNT R001-6150

AMOUNT \$ 50.00

RECEIVED FROM: M. E. Costle

FOR: Colo 010 Administration

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

I form # 496

PAID RECEIPT

PROCESS ACTUAL TIME

6/08/1999 6/08/1999 15:41:40

REG #501 CASHIER JRIC JMR DROMER 1

Dept 5 528 ZONING VERIFICATION

Receipt # 104376

CR NO. 069878

Receipt Tot 50.00

.00 DK 60.00 DA

10.00- ES

Baltimore County, Maryland

CASHIER'S VALIDATION

99-496-A

CERTIFICATE OF POSTING

RE: CASE # 99-496-A
PETITIONER/DEVELOPER:
(Bob Castle)
DATE OF Closing
(July 5, 1999)

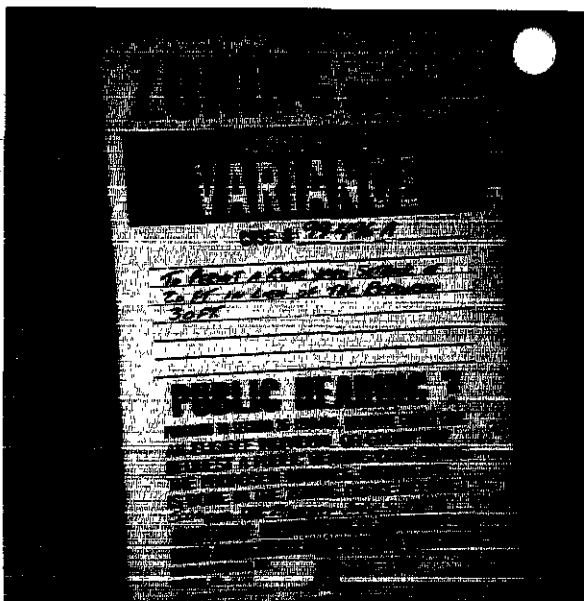
Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Ave.
Towson, Maryland 21204

ATTENTION : MS. GWENDOLYN STEPHENS

LADIES AND GENTLEMEN:

This letter is to certify under the penalties of perjury that the necessary
sign(s) required by law were posted conspicuously on the property located at
304 Deep Dale Drive Baltimore , Maryland 21093_____

The sign(s) were posted on_____ 6-18-99 _____
(Month, Day, Year)



Sincerely,

Thomas P. Ogle, Sr.
(Signature of Sign Poster & Date)

Thomas P. Ogle, Sr.

325 Nicholson Road

Baltimore, Maryland 21221

(410)-687-8405
(Telephone Number)

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 99- 496 -A Address 304 Deep Dale Drive
Contact Person: Bruno Rudaitis Phone Number: 410-887-3391
Planner, Please Print Your Name
Filing Date: 6/8/99 Posting Date: 6/20/99 Closing Date: 7/5/99

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 99- 496 -A Address 304 Deep Dale Drive
Petitioner's Name Castle Telephone 410-252-7849
Posting Date: 6/20/99 Closing Date: 7/5/99
Wording for Sign: To Permit a rear yard setback of 20 ft. in
lieu of the required 30 ft.

(#5)

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 99-496-A
Petitioner: ROBERT R. + MARY ELLEN CASTLE
Address or Location: 304 DEEP DALE DR.

PLEASE FORWARD ADVERTISING BILL TO:

Name: ROBERT CASTLE
Address: 304 DEEP DALE DRIVE
TIMONUM MD 21093
Telephone Number: 410-252-7849

Revised 2/20/98 - SCJ

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Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 304 DEER OAK DRIVE

see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: PINE VALLEY

plat book # 24, folio # 90, lot # 19, section # _____


OWNER: ROBERT R. AND MARY ELLEN CASPER

North

date: _____

prepared by: _____

Scale of Drawing: 1" = _____

 North
Vicinity Map
scale: 1" = 1000'

LOCATION INFORMATION

Election District: 8TH

Councilmanic District: 3RD

1" = 200' scale map#:

Zoning:

Lot size: 8900
acreage square feet

public private
SEWER: ☒ ☐

WATER: ☒ ☐

Chesapeake Bay Critical Area: ☐ yes ☒ no

Prior Zoning Hearings:

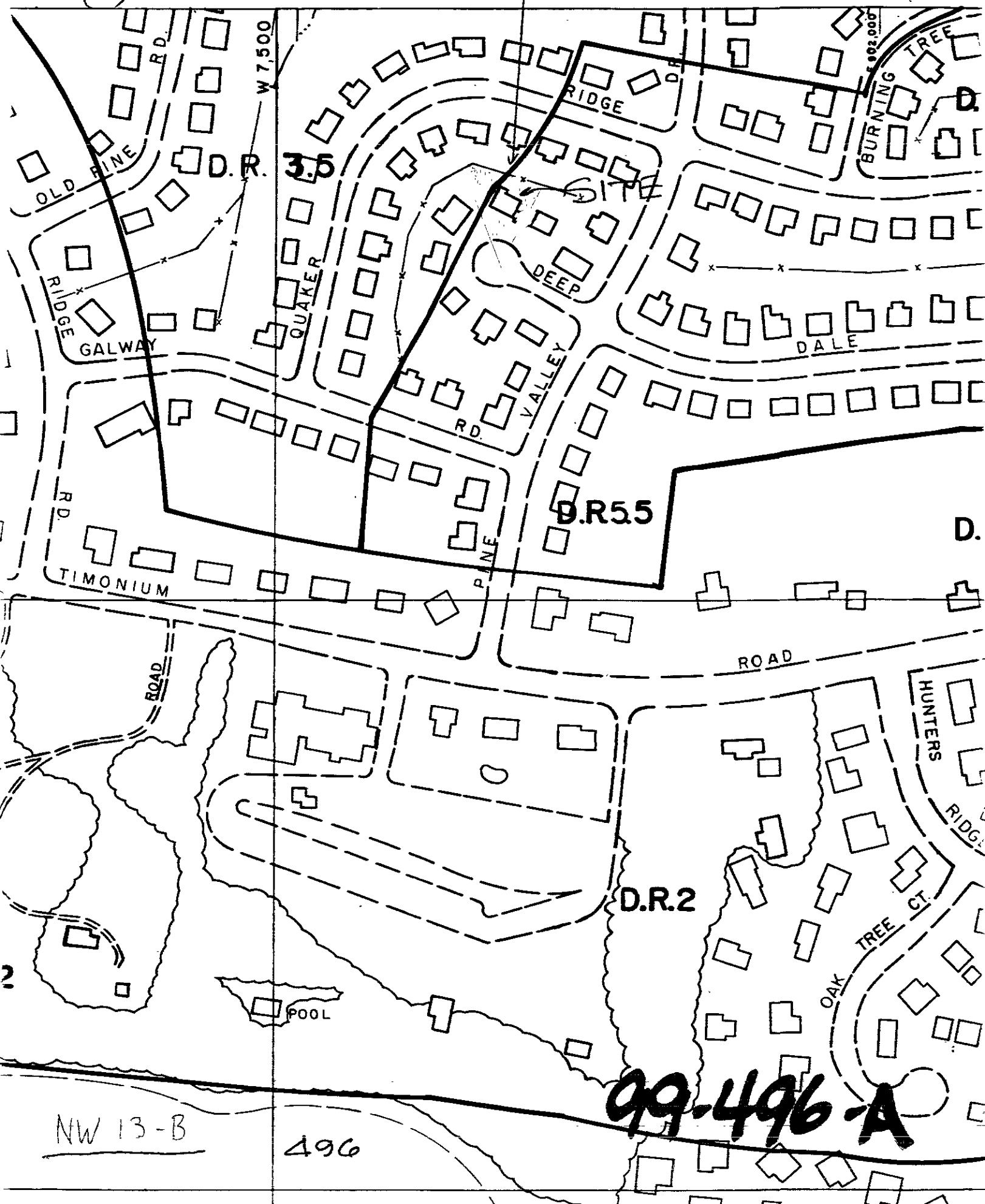
Zoning Office USE ONLY!

reviewed by: _____ ITEM #: _____ CASE#: _____

ZONING
MAP (#4)

ROBERT CASTLE

304 DEEDALE DR.



ROBERT R. CAGLE
304 DEEP DALE DR.



from right side yard -
back current concrete slab porch w/ metal awning

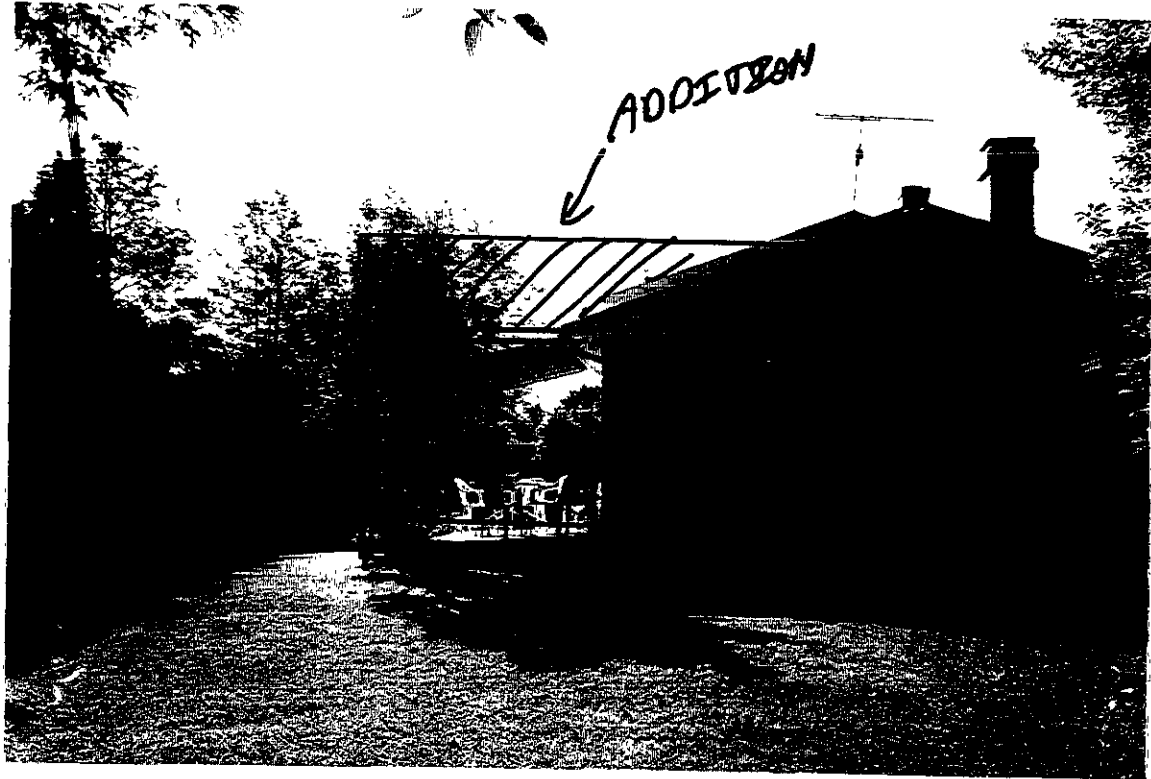


from back yard - concrete slab porch
w/ metal awning

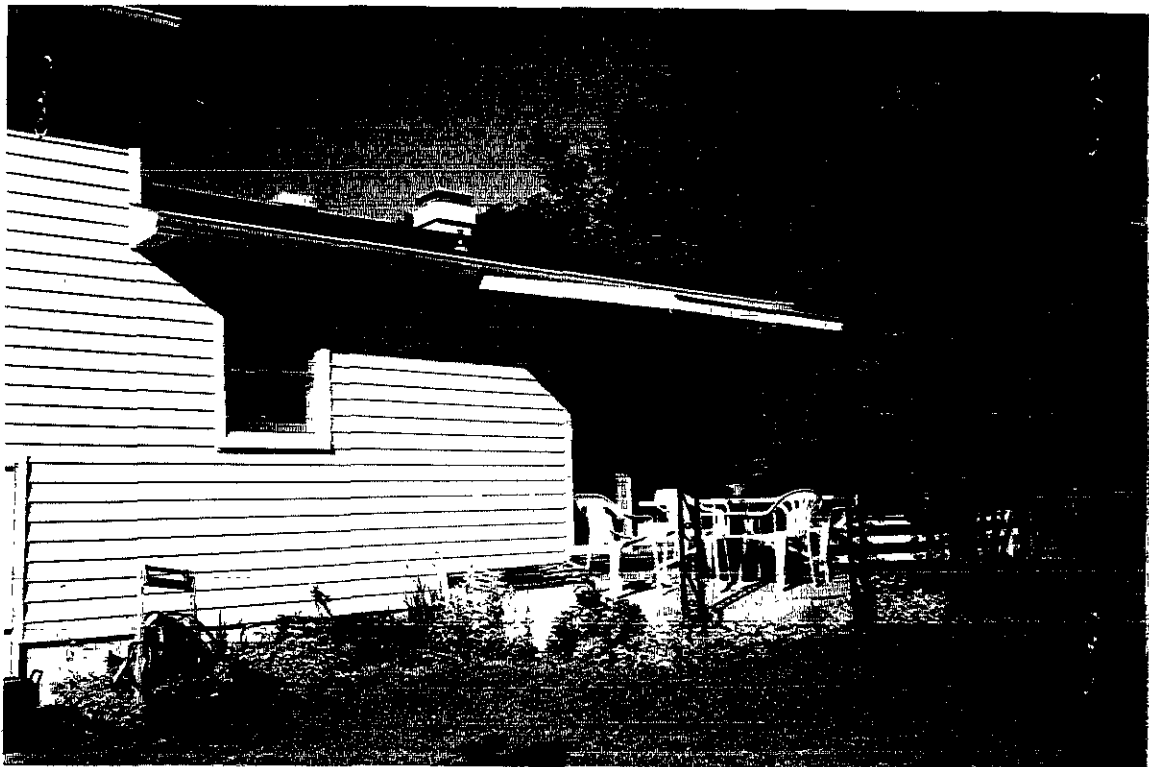
99-496-A

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● ROBERT R. COTLE ●
304 DEEP DALE DRIVE



right side of house from side yard



back of house - existing concrete slab +
metal awning

99-496-A

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BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE 1" = 200' ±	LOCATION TIMONIUM	SHEET N.W. 13-B	MICROFILMED 496
DATE OF PHOTOGRAPHY JANUARY 1986	99-496-A		